

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Shevani Patel	Team: Team # 5	CCRB Case #: 201310504	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 11/01/2013 11:58 PM	Location of Incident: 87th Avenue and 78th Street	Precinct: 102	18 Mo. SOL 5/1/2015	EO SOL 5/1/2015	
Date/Time CV Reported Sat, 11/02/2013 1:25 AM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 11/07/2013 2:57 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Timothy Brovakos	01062	943025	PBQ/S

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Marc Devito	17884	951679	110 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Timothy Brovakos	Abuse: Sgt. Timothy Brovakos stopped § 87(2)(b)	
B.SGT Timothy Brovakos	Abuse: Sgt. Timothy Brovakos threatened § 87(2)(b) with the use of force.	
C.SGT Timothy Brovakos	Force: Sgt. Timothy Brovakos struck § 87(2)(b) with a baton.	
D.SGT Timothy Brovakos	Discourtesy: Sgt. Timothy Brovakos spoke rudely to § 87(2)(b)	

### Case Summary

On November 2, 2013, Sgt. Timothy Brovakos of Patrol Borough Queens South filed the following complaint on behalf of § 87(2)(b) over the phone with IAB, where it received log number 13-46583. On November 7, 2013, IAB referred the complaint to the CCRB. On November 13, 2013, IAB forwarded a statement provided to IAB by § 87(2)(b) on November 2, 2013.

On November 1, 2013, at approximately 11:58 p.m., § 87(2)(b) was with his friends, only known to him as § 87(2)(b) and § 87(2)(b) standing outside of a hookah lounge in the vicinity of 87<sup>th</sup> Avenue and 78<sup>th</sup> Street in Queens when Sgt. Timothy Brovakos of Patrol Borough Queens South and his operator, PO Marc Devito of the 110<sup>th</sup> Precinct, stopped him (**Allegation A**). Sgt. Brovakos stepped out of the car, told § 87(2)(b) not to move and stated, “I’m going to fuck you up (**Allegation** § 87(2)(b) fled on foot and Sgt. Brovakos pursued him. When he caught up with § 87(2)(b) Sgt. Brovakos hit the back of § 87(2)(b)’s head with a baton (**Allegation C**). § 87(2)(b) fell to the ground. Sgt. Brovakos said, “I told you I was going to fuck you up (**Allegation D**).” § 87(2)(b) sustained a laceration to the back of his head and was removed to § 87(2)(b). § 87(2)(b) was arrested for § 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

IAB identified the subject officer as Sgt. Brovakos and listed the witness officer as PO Devito. Additionally, § 87(2)(b) described the officer who struck him with an asp as a white male in his late thirties, who was 5’11” tall, wore a gold shield and had black hair that was “high and flat.” A search of EDMS, revealed an officer photograph of Sgt. Brovakos within case number 201014757. The pedigree record notes that Sgt. Brovakos is a § 87(2)(b)-old white male, who is 5’10” tall and has brown hair. Moreover, as Sgt. Brovakos is a sergeant, his shield is gold.

§ 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

IAB provided only an address for § 87(2)(b). His arrest report in connection with this incident listed the same address and disclosed no telephone numbers. On November 8, 2013, a search of CTS indicated that § 87(2)(b) did not file any prior complaints. On November 8, 2013 and November 22, 2013, please call letters were sent to § 87(2)(b). These letters were not returned by the United States Postal Service. On November 18, 2013, a search of the Booking and Arraignment Disposition System revealed two unsealed arrest reports for § 87(2)(b). The first arrest report listed an alternate address and one call made under custody to an individual named Ramon § 87(2)(b). The second arrest report listed a second alternate address and a telephone number. On that same day, these numbers were called, but both numbers were not in service. On November 18, 2013, a call was made to IAB and it was confirmed that there was no additional contact information for § 87(2)(b). On that same day, a search of White Pages found no results for § 87(2)(b) corresponding with his date of birth. On November 20, 2013 and November 27, 2013, please call letters were sent to both of the addresses found on BADS. Only one of these letters was returned by the United States Postal Service on December 12, 2013. On November 20, 2013, a search of the COLES directory of Queens revealed no telephone numbers for all three addresses yielded. On November 21, 2013, a search of Lexis Nexis found no results that match § 87(2)(b)’s date of birth; however, a search of his provided address revealed a § 87(2)(b) associated with the address, but listed no corresponding telephone number. On November 25, 2013, a search of E-Courts revealed that § 87(2)(b)’s attorney worked at the

§ 87(2)(b). On November 27, 2013, a call was made to the § 87(2)(b) and the undersigned was informed that § 87(2)(b)'s criminal attorney was § 87(2)(b). On November 27, 2013 and December 2, 2013, two voicemails were left on § 87(2)(b) voicemail box requesting additional contact information for § 87(2)(b). On December 3, 2013, § 87(2)(b) left a voicemail for the undersigned stating that he did not have any telephone number for § 87(2)(b). On December 5, 2013, Sgt. Robert Fitzsimmons of IAB Group 54 sent an email to the undersigned. He stated that he was concurrently conducting an IAB investigation regarding the incident. On that same day, the undersigned spoke with Sgt. Fitzsimmons over the phone. Sgt. Fitzsimmons stated that he did not have any telephone number listed for § 87(2)(b). During the conversation, Sgt. Fitzsimmons checked his file and call-out documents, but was unable to locate a telephone number. On December 19, 2013, a search of the NYC Department of Correction website did not indicate that § 87(2)(b) was incarcerated. [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(g)

Team: 5

Investigator: \_\_\_\_\_  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date